

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
WESTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) 7:18-cr-00400-LSC-JEO-2
)
)
)
KELVIN QUNTAVIUS THOMAS,)
)
Defendant.)

MEMORANDUM OF OPINION AND ORDER

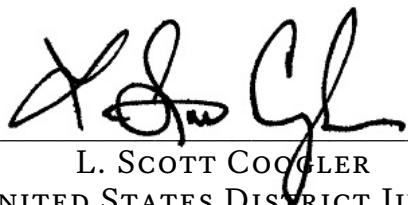
This matter is before the Court on the motion to suppress filed by the defendant, through his counsel (doc. 26), an individually-filed motion to suppress by the defendant (doc. 24), and the defendant's counsel's motion for funds for a handwriting expert (doc. 25). The magistrate judge filed a report and recommendation, recommending that the motion to suppress filed by the defendant's counsel be denied (doc. 26), the individually-filed motion to be suppress by the defendant be denied as moot (doc. 24), and the motion for funds (doc. 25) be denied as moot. (Doc. 29.) The defendant objected. (Doc. 34.)

Having now carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the

Court is of the opinion that the report is due to be and hereby is ADOPTED, the recommendation is ACCEPTED, with the exception of the following. The report and recommendation appears to have erroneously stated that the defendant is charged with being a felon in possession of a firearm. (Doc. 29 at 1.) Although this is error, it has no bearing whatsoever on the substance of the magistrate judge's recommendation that the defendant's motion to suppress be denied. In any event, that portion of the report and recommendation is not due to be accepted and adopted. (Doc. 29 at 1.)

The motion to suppress (doc. 26) is hereby **DENIED**. The individually-filed motion to suppress (doc. 24) and the motion for funds for a handwriting expert (doc. 25) are **DENIED AS MOOT**.

DONE AND ORDERED ON FEBRUARY 22, 2019.



L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE
160704